

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

**EDMONDSON COMMUNITY
ORGANIZATION, INC., *et al.***

Plaintiffs

v.

**MAYOR AND CITY COUNCIL
OF BALTIMORE, *et al.***

Defendants

Case No. 1:24-cv-01921-BAH

CONSENT MOTION TO EXTEND TIME

The Defendants, Tempest LLC (“Tempest”), East Coast Tax Auction, LLC (“ECTA”), Mayor and City Council of Baltimore City (the “City”) and Michael Mocksten (the “Director”), by and through their respective, undersigned attorneys, submit this Consent Motion to Extend Time, and state:

1. All Defendants have moved to dismiss the Plaintiffs’ Amended Complaint. *See* ECF Nos. 35, 37 & 39.
2. Plaintiffs have sought leave to file a single, 60-page, consolidated brief in opposition to the three Motions to Dismiss filed by the Defendants. *See* ECF No. 40.
3. The Defendants do not consent to the Plaintiffs’ proposal, as indicated in Plaintiffs’ motion. *See* ECF No. 40-1 at p.3; ECF No. 40-2.
4. The Defendants intend to oppose Plaintiffs’ motion, on the grounds that, among other things, Plaintiffs’ proposed briefing order would make briefing confusing and *less efficient* for the Court and Defendants.

5. On January 2, 2025 at 10:21 AM, the Court, *sua sponte*, ordered Defendants to respond to ECF No. 40 the following day, January 3, 2025.

6. Defense counsel promptly attempted to confer about filing a joint response within the scheduled deadline. Upon attempting to confer, counsel for Tempest and ECTA learned that Steven Potter, Esq. (“Mr. Potter”), counsel for the City the Director, was faced with a family emergency and was unable to confer and/or prepare an opposition within the abbreviated timeline ordered by the Court.

7. Upon learning of Mr. Potter’s emergency, Tempest and ECTA’s counsel immediately reached out to Plaintiffs’ counsel and sought consent to an extension of time to respond to ECF No. 40, through January 7, 2025, which is the deadline that Plaintiffs had previously proposed. *See* Exhibit 1 (detailing the prior proposed response deadline); Exhibit 2 (discussing the Plaintiffs’ consent to this motion).

8. Plaintiffs consented to the relief requested herein, with the caveat that their reasons for consenting be made clear to the court, to wit:

From:	Robert Friedman <robert@guptawessler.com>
Sent:	Thursday, January 2, 2025 6:42 PM
To:	Elliott Engel
Cc:	Aaron D. Neal; Steven.Potter@baltimorecity.gov; Lee Ogburn
Subject:	Re: ECO v. Baltimore

Based on your representation that you would like to consult with Steven before filing and as a courtesy to him, we will agree to extend the deadline for everyone so long as you express in your motion that counsel is experiencing a family emergency. We would like the court to understand that we are consenting for that reason, not because we think time is not of the essence. Additionally, we ask that you extend the courtesy back by filing as soon as practicable and not waiting until 7th just because you may have the additional time.

See Exhibit 2 at p.1.

WHEREFORE, this Court should grant this consent motion in accordance with the attached proposed order.

Respectfully submitted,

McNamee, Hosea, P.A.

/s/ Aaron D. Neal

Aaron D. Neal (Bar No. 28566)

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Attorneys for Tempest LLC

Respectfully submitted,

/s/ Elchanan "Elliott" Engel

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Attorney for East Coast Tax Auction, LLC

Respectfully submitted,

/s/ Steven J. Potter

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Counsel for Mayor and City Council of

Baltimore and Michael Mocksten, Defendants

Certificate of Service

I hereby certify that on January 3, 2025, the foregoing paper was filed via CM/ECF and thus served electronically upon all counsel of record, to wit:

Lee H. Ogburn, Esq.
Deepak Gupta, Esq.
Jennifer Bennett, Esq.
Robert D. Friedman, Esq.
Elchanan Engel, Esq.

/s/ Aaron D. Neal

Aaron D. Neal